GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Endowments Department – Certain irregularities in eviction of encroachers from lands of Sri Agastheswara (Malleswara) Swamy Temple, K.Uppalapadu situated at Agasthavarapadu Village, Pedakakani Mandal, Guntur District - Disciplinary action against Sri M.S.Sri Harsha, AC, ED, Guntur – Inquiry - Charge not Proved – Disagreement factor communicated – Retired from service - Action under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 – Punishment of 5% cut in pension permanently - Imposed - Orders - Issued.

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3. Sri M.S.Sri Harsha, has submitted his Written Statement of Defence, vide reference 4th read above, denying the charge and as the same is not convincing, Government have entrusted the case of the Charged Officer along with other Charged Officers to the Commissioner of Inquiries vide reference 6th read above. The Inquiry Authority has submitted the Inquiry Report vide reference 7th read above. In respect of the above Charged Officer, it is held that the charge framed against him as not proved. In the meantime the Charged Officer had retired from service on 31-08-2009 on superannuation.

4. And whereas the Government after examining the Inquiry Report observed that the Charged Officer could have taken action to evict the encroachers from the subject temple lands during August, 2006 to November, 2006, the period during which he has been holding the post of Assistant Commissioner, Endowments Department, Guntur, but he has not taken any action for the three months, hence disagreed with the findings of Inquiry Authority. Accordingly communicated the disagreement factors to Sri M.S.Sri Harsha, vide reference 8th read above, to submit his representation if any in the matter.

5. Sri M.S.Sri Harsha, has submitted his representation vide reference 9th read above stating that on 14-08-2006 on noticing the religious structures being raised in the temple lands by the encroachers, he tried to brief the same to the District Collector and seek the help of the Mandal Revenue Officer and the Local Station House Officer concerned, but he could not get the appointment. Further stated that he has discharged his duties with utmost care and requested to drop further action against him in the above disciplinary case.

6. And whereas the Government after examining the representation submitted by the charged officer to the disagreement factor and with material available on record observed that the Charged Officer has not taken any effective steps to evict the encroachers from the land belonging to the subject temple. Hence it is held that Sri M.S.Sri Harsha, Assistant Commissioner, Endowments Department, Guntur (now Retired), has failed to discharge his duties diligently and that he is guilty of the charge framed against him.

7. Government have provisionally decided to impose a penalty of 5% cut in pension permanently against Sri M.S.Sri Harsha, under rule 9 of Andhra Pradesh Revised Pension Rules, 1980. Accordingly, a Show Cause Notice has been issued to the Charged Officer, vide reference 11th read above with a direction to submit his representation. The Charged Officer has submitted his representation, vide reference 12th read above, re-iterating the contents earlier stated and requested to drop further action against him.

8. Whereas the Government have examined the matter and decided to confirm the provisional decision to impose a punishment of 5% cut in pension permanently against Sri M.S.Sri Harsha, Assistant Commissioner, Endowments Department, Guntur (now Retired), as the Charged Officer has not substantiated his stand. Accordingly, necessary proposals have been sent to Andhra Pradesh Public Service Commission vide reference 13th read above. The Andhra Pradesh Public Service Commission, vide reference 14th read above have concurred with the proposal of the Government (copy enclosed).

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9. Accordingly, Government hereby order to impose a punishment of 5% cut in pension permanently against Sri M.S.Sri Harsha, Assistant Commissioner, Endowments Department, Guntur (now Retired), under rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

10. The Commissioner, Endowments shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M.S.Sri Harsha, Assistant Commissioner of Endowments, Guntur (now Retired),
through the Commissioner of Endowments, Andhra Pradesh, Gollapudi, Vijayawada.
(with a request to serve the Government Orders on the individual and submit the served copy with dated acknowledgment to the Government)
The Commissioner of Endowments, Andhra Pradesh, Gollapudi, Vijayawada.
Copy to :
The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, Secretariat Building No.4, Velgapudi.
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada
The Secretary, Andhra Pradesh Public Service, Hyderabad,
The Accountant General, AP, Hyderabad.
The Director, Treasuries & Accounts, A.P, Vijayawada.
The Regional Joint Commissioner, Endowments Department, Tirupathi.
The Deputy Commissioner, Endowments Department, Guntur District.
The Assistant Commissioner, Endowments Department, Guntur District.
SF / SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER